



COUNCIL MINUTES

May 15, 2008

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on May 15, 2008 at 7:30 a.m.

COUNCIL PRESENT

Mayor Keno Hawker
Kyle Jones
Tom Rawles
Scott Somers
Darrell Truitt
Mike Whalen

COUNCIL ABSENT

Claudia Walters

COUNCIL-ELECT PRESENT

Alex Finter
Dennis Kavanaugh
Dave Richins

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

(Mayor Hawker excused Vice Mayor Walters from the entire meeting.)

1. Review items on the agenda for the May 19, 2008 Regular Council meeting.

All of the items on the agenda were reviewed among Council and staff and the following was noted:

Conflicts of interest declared: 4a, 4b (Hawker), (Whalen); 9s (Hawker); 9t (Hawker); 11h (Whalen); 12k (Hawker)

Items removed from the consent agenda: 12g

Items added to the consent agenda: None

2. Hear a presentation, discuss and provide direction on FY 08/09 Human Services funding.

Housing & Revitalization Director Carolyn Olson introduced Human Services Specialist Lisa Wilson, who was prepared to address the Council relative to this item.

Ms. Wilson displayed a PowerPoint presentation (A copy is available for review in the City Clerk's Office) and offered a brief analysis of the FY 2008/09 Human Services funding recommendations. She reported that the final allocations would be funded using \$731,278 in General Funds and \$108,000 collected through Mesa's "A Better Community" (ABC) Utility donation program. She explained that this is a 5% decrease in General Funds and a 29% decrease in ABC funding from FY 2007/08.

Ms. Wilson highlighted the funding process undertaken by staff (utilizing the Community Safety Support Investment Model) and the Human Services Advisory Board's (HSAB) review of staff's funding recommendations. She explained that the five funding areas include crisis services, prevention, transitional services, long-term support and system support. Ms. Wilson also provided a short synopsis of the programs recommended for funding by staff and the alternative funding recommendations proposed by the HSAB. (Note: The Board recommended that A New Leaf, East Valley Men's Center and Save the Family's Transition Shelter Program be reduced by \$2,000 each to enable funding for the East Valley Senior Services RSVP Program in the amount of \$1,500 and Caring Corp. in the amount of \$4,500.)

Discussion ensued relative to the fact that in FY 2008/09, an estimated 340,160 individuals in the community would be served through the various human services programs; the difficulty encountered by non-profit agencies in tracking the specific number of individuals utilizing such services; that in the upcoming year, staff intends to meet with the HSAB to discuss the issue of combining the allocation of ABC and General Fund dollars; and proposed upgrades to the ABC online program.

Mayor Hawker stated that the three options for Council consideration are as follows: 1.) Accept staff's recommended funding levels; 2.) Accept the HSAB's funding recommendations; and 3.) Revise any or all of the recommended funding levels.

Councilmember Somers commented that with regard to the Community Safety Support Investment Model Funding Guideline, "Prevent long-term dependence on public resources," although it may be a good objective of the program, he questioned whether it has been institutionalized. He requested that staff review the item next year.

Mayor Hawker and Councilmember Somers expressed support for staff's recommended funding levels.

Councilmember-Elect Kavanaugh also voiced support for staff's recommended funding levels, but noted that it is unfortunate that human services funding has decreased at a time when the needs of the community have grown. He added that with the return of servicemen and women from the Iraq war, he would anticipate an increased burden on various non-profit agencies in the community.

Councilmember Rawles expressed support for staff's recommendations.

Councilmembers Jones and Whalen declared potential conflicts of interest and said they would refrain from discussion/consideration of this item.

Mayor Hawker stated that it was the concurrence of those Councilmembers who did not have conflicts of interest that staff's recommended funding levels be accepted.

3. Discuss and provide direction on FY 08/09 budget requests, including but not limited to:

- a. Mesa Historical Museum funding
- b. Grants to Arts Organizations
- c. Human Services funding

Mayor Hawker advised that this item would be delayed until a future Study Session.

4. Hear a presentation, discuss and provide direction on FY 08/09 Transit budget.

Deputy Transportation Director Mike James reported that in response to Council direction at the May 1, 2008 Study Session, staff prepared alternative options relative to the anticipated \$668,998 shortfall identified in the FY 2008/09 Transit budget. He explained that in January of this year, staff identified \$1.4 million in savings and bus service reductions, most notably the reduction of Saturday bus service frequency from 30 minutes to one hour (implemented May 3rd) and the implementation of midday service reductions to Gilbert Road Route 136 (beginning July 28th).

Mr. James indicated that bus and Dial-a-Ride costs are \$668,988 higher than previously reported due to labor, health insurance and fuel cost increases. He said that it is important to note that staff met with representatives of the Regional Public Transportation Authority (RPTA) and requested that in the future, the agency provide its budget information in a more timely manner.

Mr. James further commented that to date, the Local Transportation Assistance Funds (LTAF) II funding for transit remains uncertain and said that staff should know by June if the City's funding would be maintained. He added that if such funds are not eliminated, Mesa's estimated share for FY 2008/09 would be \$631,842.

Discussion ensued relative to two budget alternatives for Council consideration (See Attachment 1.); that concerning Alternative B, Route 136 (Gilbert Road) is the only route that can be individually eliminated due to the fact it is not impacted by Title VI relating to low income and/or minority populations; that the route currently services Falcon Field and Boeing with two morning and two afternoon peak hour route extensions; and that in July 2009, Proposition 400 monies would begin to fund the route.

Mr. James concluded his presentation by stating that staff recommends moving forward with Alternative A, based on the assumption that Mesa would receive LTAF II funding. He stated that if such funding is not available, staff would come back and advise the Council that it is necessary to implement Alternative B.

Mayor Hawker suggested that pending resolution of the LTAF II funding issue, that staff research other modes of transportation for Route 136 (i.e., vanpools and ride sharing) in order to accommodate riders traveling to Boeing.

Mayor Hawker thanked staff for the update and said that the Council would "wait and see" what transpires with regard to the availability of LTAF II funding.

5. Hear a presentation, discuss and provide direction on the use of electronic monitoring as a substitute for bond under pretrial conditions for misdemeanor defendants.

Mayor Hawker expressed support for the City moving forward with staff's recommended pilot program to test use/implement electronic monitoring devices (ankle bracelets) as an alternative to misdemeanor defendants being held on bond under pretrial conditions. He stated that in

particular, he supports the concept of the City Judges having the ultimate jurisdiction to determine, on a case-by-case basis, whether it is appropriate to utilize such technology.

In response to a question from City Manager Christopher Brady, Court Administrator Paul Thomas explained that Maricopa County Superior Court currently utilizes ankle bracelets to monitor individuals convicted of felonies and said that convicted sex offenders must submit to lifetime electronic monitoring. He stated that the electronic monitoring device would be one way to reduce direct jail costs paid to the Maricopa County Sheriff's Office. Mr. Thomas added that the Mesa City Court is a court of limited jurisdiction and only hears misdemeanor cases.

Councilmember Rawles explained that individuals who commit misdemeanor offenses are always entitled to bond. He stated that many defendants cannot afford to post a \$500 bond, but are responsible citizens who would return to court for the disposition of their cases. Councilmember Rawles expressed support for the program and noted that the electronic monitoring device provides the City with an additional flexible tool "over and above" releasing an individual OR (on their own recognizance).

Discussion ensued relative to the fact that in-custody arraignment is for defendants who are held in jail pending resolution of their case; that per staff's proposal, some of those defendants would be eligible for the ankle bracelets rather than being held in jail on bond; that out-of-custody arraignment is for those individuals who are cited and released; and that in conjunction with this item, staff also discussed the funding of an Arraignment Division in the future.

Mr. Brady explained that staff made the presumption that the City would save approximately \$816,000 in jail costs through the implementation of the electronic monitoring pilot program and noted that such costs have been built into the current budget. He stated that staff intends to delay funding for the Arraignment Court until such time as the success of the pilot program has been determined and a cost savings realized.

Councilmember Rawles cautioned that the implementation of the electronic monitoring pilot program not interfere with the attempted focus of resolving cases at arraignment. He also encouraged staff to consider the use of electronic monitoring for home detention of convicted misdemeanor offenders when allowed by State law.

Mayor Hawker stated that there was Council concurrence that staff proceed with the pilot program to test use/implement electronic monitoring devices as an alternative to misdemeanor defendants being held on bond under pretrial conditions.

6. Discuss and provide direction on the planning area boundaries in Pinal County.

Mayor Hawker stated that at the March 8, 2007 Study Session, the Council directed staff to expand Mesa's municipal planning area by including an additional 10.5 square mile area in Pinal County. (Note: The property is included as a portion of the Superstition Vistas property, which is owned by the Arizona State Land Department.) He explained that the purpose of the expansion was to protect the flight corridors surrounding Williams Gateway Airport. Mayor Hawker noted that since that time, a close affiliate of the Town of Apache Junction sought permission to build a water and sewage treatment plant on the same acreage, but later withdrew the request. He added that the Town of Queen Creek is in the process of updating its

General Plan and proposes to include approximately half of the 10.5 square mile area in its municipal planning area.

Mayor Hawker stated that in response to concerns expressed by the State Land Department regarding the 10.5 square mile area, he and the mayors of Apache Junction and Queen Creek have proposed an agreement to ensure that all three communities work cooperatively on the planning area and withdraw any claims to the property. He stated that he is comfortable in Mesa "being a good neighbor" and also being afforded the opportunity to play an active role in what occurs in this area of Pinal County since it borders Mesa to the east.

Mayor Hawker further indicated that a draft Memorandum of Understanding (MOU), which would be sent to the State Land Department, conveys the above-referenced understanding among the three communities. He also said that there might be the potential for the new Council to work on some type of revenue sharing agreement with the other communities that would address future development in the area.

Councilmember Rawles commented that he would assume if the MOU were forwarded to the State Land Department, that it would be necessary for the Council to delete the 10.5 square mile area from Mesa's municipal planning area.

Government Relations Director Scott Butler clarified that the Council's action on March 8th to expand Mesa's municipal planning area did not require a resolution or ordinance. He explained that if the Council concurs with the Mayor's recommendation, any action this morning would be appropriate. Mr. Butler added that staff would continue to work on the MOU, which is still a draft document at this time.

City Manager Christopher Brady suggested that at the May 29th Study Session when HDR, the City's consultant, is scheduled to make a presentation regarding the Southeast Mesa Strategic Development Plan, staff, as part of that discussion and action, could also include on the agenda this item of Mesa withdrawing its claim to the 10.5 square mile area from its municipal planning area.

Mayor Hawker stated that the purpose of today's presentation was to determine whether his fellow Councilmembers had any serious objections concerning the MOU.

7. Acknowledge receipt of minutes of various boards and committees.

- a. Economic Development Advisory Board meeting held April 1, 2008
- b. Parks and Recreation Board meeting held April 10, 2008
- c. Audit and Finance Committee meeting held May 8, 2008

It was moved by Councilmember Jones, seconded by Councilmember Whalen, that receipt of the above-listed minutes be acknowledged.

Mayor Hawker declared the motion carried unanimously by those present.

8. Hear reports on meetings and/or conferences attended.

Councilmember Jones: Krispy Kreme Grand Open Event
Councilmember Somers: Mesa Gateway Strategic Plan Open House in District 6

9. Scheduling of meetings and general information.

City Manager Christopher Brady stated that the meeting schedule is as follows:

Monday, May 19, 2008, TBA – Study Session

Monday, May 19, 2008, 5:45 p.m. – Regular Council Meeting

Thursday, May 22, 2008, 8:00 a.m. – Southeast Mesa Strategic Development Plan Presentation at ASU Decision Theater

Thursday, May 29, 2008, 7:30 a.m. – Study Session

Thursday, May 29, 2009, 4:00 p.m. – Mayor & Council Farewell Event

10. Items from citizens present.

Marilynn Wennerstrom, 1112 North Center Street, stated that at the October 15, 2007 Regular Council meeting, she requested information relative to the rental of the Upper Level Council Chambers for public events and candidate forums hosted by the newspapers. She commented that she has yet to receive the material and inquired when it would be forthcoming.

11. Adjournment.

Without objection, the Study Session adjourned at 8:51 a.m.

KENO HAWKER, MAYOR

ATTEST:

LINDA CROCKER, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on the 15th day of May 2008. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK